



General Assembly

January Session, 2011

Amendment

LCO No. 5332

SB0119905332SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. LOONEY, 11th Dist.
SEN. COLEMAN, 2nd Dist.
SEN. DOYLE, 9th Dist.
SEN. LEBEAU, 3rd Dist.

SEN. DUFF, 25th Dist.
SEN. SLOSSBERG, 14th Dist.
SEN. STILLMAN, 20th Dist.
SEN. MUSTO, 22nd Dist.

To: Subst. Senate Bill No. 1199

File No. 465

Cal. No. 280

"AN ACT CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES' DIFFERENTIAL RESPONSE AND POVERTY EXEMPTION."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 46b-121 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2011*):

6 (a) (1) Juvenile matters in the civil session include all proceedings
7 concerning uncared-for [.] or neglected [or dependent] children and
8 youths within this state, termination of parental rights of children
9 committed to a state agency, matters concerning families with service
10 needs, contested matters involving termination of parental rights or
11 removal of guardian transferred from the Probate Court and the

12 emancipation of minors, but does not include matters of guardianship
13 and adoption or matters affecting property rights of any child or youth
14 over which the Probate Court has jurisdiction, except that appeals
15 from probate concerning adoption, termination of parental rights and
16 removal of a parent as guardian shall be included.

17 (2) Juvenile matters in the criminal session include all proceedings
18 concerning delinquent children within this state and persons
19 seventeen years of age and older who are under the supervision of a
20 juvenile probation officer while on probation or a suspended
21 commitment to the Department of Children and Families, for purposes
22 of enforcing any court orders entered as part of such probation or
23 suspended commitment.

24 Sec. 502. Subsection (a) of section 46b-121 of the general statutes, as
25 amended by section 83 of public act 09-7 of the September special
26 session, is repealed and the following is substituted in lieu thereof
27 (*Effective July 1, 2012*):

28 (a) (1) Juvenile matters in the civil session include all proceedings
29 concerning uncared-for [,] or neglected [or dependent] children and
30 youths within this state, termination of parental rights of children
31 committed to a state agency, matters concerning families with service
32 needs, contested matters involving termination of parental rights or
33 removal of guardian transferred from the Probate Court and the
34 emancipation of minors, but does not include matters of guardianship
35 and adoption or matters affecting property rights of any child or youth
36 over which the Probate Court has jurisdiction, except that appeals
37 from probate concerning adoption, termination of parental rights and
38 removal of a parent as guardian shall be included.

39 (2) Juvenile matters in the criminal session include all proceedings
40 concerning delinquent children within this state and persons eighteen
41 years of age and older who are under the supervision of a juvenile
42 probation officer while on probation or a suspended commitment to
43 the Department of Children and Families, for purposes of enforcing

44 any court orders entered as part of such probation or suspended
45 commitment.

46 Sec. 503. Subsection (b) of section 46b-122 of the general statutes is
47 repealed and the following is substituted in lieu thereof (*Effective*
48 *July 1, 2011*):

49 (b) The Judicial Department shall establish, in a superior court for
50 juvenile matters location designated by the Chief Court Administrator,
51 a pilot program to increase public access to proceedings in which a
52 child is alleged to be uncared for, neglected [.] or abused [or
53 dependent] or is the subject of a petition for termination of parental
54 rights. In any proceeding under this subsection, the judge may order
55 on a case-by-case basis that such proceeding be kept separate and
56 apart and heard in accordance with subsection (a) of this section, upon
57 motion of any party for good cause shown. After consultation with the
58 Juvenile Access Pilot Program Advisory Board established pursuant to
59 section 6 of public act 09-194, the Judicial Department shall adopt
60 policies and procedures for the operation of the pilot program.

61 Sec. 504. Section 46b-129 of the general statutes is repealed and the
62 following is substituted in lieu thereof (*Effective July 1, 2011*):

63 (a) Any selectman, town manager, or town, city or borough welfare
64 department, any probation officer, or the Commissioner of Social
65 Services, the Commissioner of Children and Families or any child-
66 caring institution or agency approved by the Commissioner of
67 Children and Families, a child or such child's representative or
68 attorney or a foster parent of a child, having information that a child or
69 youth is neglected [.] or uncared-for, [or dependent,] may file with the
70 Superior Court that has venue over such matter a verified petition
71 plainly stating such facts as bring the child or youth within the
72 jurisdiction of the court as neglected [.] or uncared-for, [or dependent,]
73 within the meaning of section 46b-120, as amended by this act, the
74 name, date of birth, sex and residence of the child or youth, the name
75 and residence of such child's parents or guardian, and praying for

76 appropriate action by the court in conformity with the provisions of
77 this chapter. Upon the filing of such a petition, except as otherwise
78 provided in subsection (k) of section 17a-112, the court shall cause a
79 summons to be issued requiring the parent or parents or the guardian
80 of the child or youth to appear in court at the time and place named,
81 which summons shall be served not less than fourteen days before the
82 date of the hearing in the manner prescribed by section 46b-128, and
83 the court shall further give notice to the petitioner and to the
84 Commissioner of Children and Families of the time and place when
85 the petition is to be heard not less than fourteen days prior to the
86 hearing in question.

87 (b) If it appears from the specific allegations of the petition and
88 other verified affirmations of fact accompanying the petition and
89 application, or subsequent thereto, that there is reasonable cause to
90 believe that (1) the child or youth is suffering from serious physical
91 illness or serious physical injury or is in immediate physical danger
92 from the child's or youth's surroundings, and (2) that as a result of said
93 conditions, the child's or youth's safety is endangered and immediate
94 removal from such surroundings is necessary to ensure the child's or
95 youth's safety, the court shall either (A) issue an order to the parents or
96 other person having responsibility for the care of the child or youth to
97 appear at such time as the court may designate to determine whether
98 the court should vest the child's or youth's temporary care and custody
99 in a person related to the child or youth by blood or marriage or in
100 some other person or suitable agency pending disposition of the
101 petition, or (B) issue an order ex parte vesting the child's or youth's
102 temporary care and custody in a person related to the child or youth
103 by blood or marriage or in some other person or suitable agency. A
104 preliminary hearing on any ex parte custody order or order to appear
105 issued by the court shall be held not later than ten days after the
106 issuance of such order. The service of such orders may be made by any
107 officer authorized by law to serve process, or by any probation officer
108 appointed in accordance with section 46b-123, investigator from the
109 Department of Administrative Services, state or local police officer or

110 indifferent person. Such orders shall include a conspicuous notice to
111 the respondent written in clear and simple language containing at least
112 the following information: (i) That the order contains allegations that
113 conditions in the home have endangered the safety and welfare of the
114 child or youth; (ii) that a hearing will be held on the date on the form;
115 (iii) that the hearing is the opportunity to present the parents' position
116 concerning the alleged facts; (iv) that an attorney will be appointed for
117 parents who cannot afford an attorney; (v) that such parents may
118 apply for a court-appointed attorney by going in person to the court
119 address on the form and are advised to go as soon as possible in order
120 for the attorney to prepare for the hearing; (vi) that such parents, or a
121 person having responsibility for the care and custody of the child or
122 youth, may request the Commissioner of Children and Families to
123 investigate placing the child or youth with a person related to the child
124 or youth by blood or marriage who might serve as a licensed foster
125 parent or temporary custodian for such child or youth. The
126 commissioner, where practicable, shall investigate such relative or
127 relatives prior to the preliminary hearing and provide a report to the
128 court at such hearing as to such relative's suitability; and (vii) if such
129 parents have any questions concerning the case or appointment of
130 counsel, any such parent is advised to go to the court or call the clerk's
131 office at the court as soon as possible. Upon application for appointed
132 counsel, the court shall promptly determine eligibility and, if the
133 respondent is eligible, promptly appoint counsel. The expense for any
134 temporary care and custody shall be paid by the town in which such
135 child or youth is at the time residing, and such town shall be
136 reimbursed for such expense by the town found liable for the child's or
137 youth's support, except that where a state agency has filed a petition
138 pursuant to the provisions of subsection (a) of this section, the agency
139 shall pay such expense. The agency shall give primary consideration to
140 placing the child or youth in the town where such child or youth
141 resides. The agency shall file in writing with the clerk of the court the
142 reasons for placing the child or youth in a particular placement outside
143 the town where the child or youth resides. Upon issuance of an ex
144 parte order, the court shall provide to the commissioner and the parent

145 or guardian specific steps necessary for each to take to address the ex
146 parte order for the parent or guardian to retain or regain custody of the
147 child or youth. Upon the issuance of such order, or not later than sixty
148 days after the issuance of such order, the court shall make a
149 determination whether the Department of Children and Families made
150 reasonable efforts to keep the child or youth with his or her parents or
151 guardian prior to the issuance of such order and, if such efforts were
152 not made, whether such reasonable efforts were not possible, taking
153 into consideration the child's or youth's best interests, including the
154 child's or youth's health and safety.

155 (c) The preliminary hearing on the order of temporary custody or
156 order to appear or the first hearing on a petition filed pursuant to
157 subsection (a) of this section shall be held in order for the court to: (1)
158 Advise the parent or guardian of the allegations contained in all
159 petitions and applications that are the subject of the hearing and the
160 parent's or guardian's right to counsel pursuant to subsection (b) of
161 section 46b-135, as amended by this act; (2) assure that an attorney,
162 and where appropriate, a separate guardian ad litem has been
163 appointed to represent the child or youth in accordance with
164 subsection (b) of section 46b-123e and sections 46b-129a and 46b-136;
165 (3) upon request, appoint an attorney to represent the respondent
166 when the respondent is unable to afford representation, in accordance
167 with subsection (b) of section 46b-123e; (4) advise the parent or
168 guardian of the right to a hearing on the petitions and applications, to
169 be held not later than ten days after the date of the preliminary hearing
170 if the hearing is pursuant to an order of temporary custody or an order
171 to show cause; (5) accept a plea regarding the truth of such allegations;
172 (6) make any interim orders, including visitation, that the court
173 determines are in the best interests of the child or youth. The court,
174 after a hearing pursuant to this subsection, shall order specific steps
175 the commissioner and the parent or guardian shall take for the parent
176 or guardian to regain or to retain custody of the child or youth; (7) take
177 steps to determine the identity of the father of the child or youth,
178 including, if necessary, inquiring of the mother of the child or youth,

179 under oath, as to the identity and address of any person who might be
180 the father of the child or youth and ordering genetic testing, and order
181 service of the petition and notice of the hearing date, if any, to be made
182 upon him; (8) if the person named as the father appears, and admits
183 that he is the father, provide him and the mother with the notices that
184 comply with section 17b-27 and provide them with the opportunity to
185 sign a paternity acknowledgment and affirmation on forms that
186 comply with section 17b-27. Such documents shall be executed and
187 filed in accordance with chapter 815y and a copy delivered to the clerk
188 of the superior court for juvenile matters; (9) in the event that the
189 person named as a father appears and denies that he is the father of the
190 child or youth, advise him that he may have no further standing in any
191 proceeding concerning the child, and either order genetic testing to
192 determine paternity or direct him to execute a written denial of
193 paternity on a form promulgated by the Office of the Chief Court
194 Administrator. Upon execution of such a form by the putative father,
195 the court may remove him from the case and afford him no further
196 standing in the case or in any subsequent proceeding regarding the
197 child or youth until such time as paternity is established by formal
198 acknowledgment or adjudication in a court of competent jurisdiction;
199 (10) identify any person or persons related to the child or youth by
200 blood or marriage residing in this state who might serve as licensed
201 foster parents or temporary custodians and order the Commissioner of
202 Children and Families to investigate and determine, not later than
203 thirty days after the preliminary hearing, the appropriateness of
204 placement of the child or youth with such relative or relatives; and (11)
205 in accordance with the provisions of the Interstate Compact on the
206 Placement of Children pursuant to section 17a-175, identify any person
207 or persons related to the child or youth by blood or marriage residing
208 out of state who might serve as licensed foster parents or temporary
209 custodians, and order the Commissioner of Children and Families to
210 investigate and determine, within a reasonable time, the
211 appropriateness of placement of the child or youth with such relative
212 or relatives.

213 (d) (1) (A) If not later than thirty days after the preliminary hearing,
214 or within a reasonable time when a relative resides out of state, the
215 Commissioner of Children and Families determines that there is not a
216 suitable person related to the child or youth by blood or marriage who
217 can be licensed as a foster parent or serve as a temporary custodian,
218 and the court has not granted temporary custody to a person related to
219 the child or youth by blood or marriage, any person related to the child
220 or youth by blood or marriage may file, not later than ninety days after
221 the date of the preliminary hearing, a motion to intervene for the
222 limited purpose of moving for temporary custody of such child or
223 youth. If a motion to intervene is timely filed, the court shall grant
224 such motion except for good cause shown.

225 (B) Any person related to a child or youth may file a motion to
226 intervene for purposes of seeking temporary custody of a child or
227 youth more than ninety days after the date of the preliminary hearing.
228 The granting of such motion shall be solely in the court's discretion,
229 except that such motion shall be granted absent good cause shown
230 whenever the child's or youth's most recent placement has been
231 disrupted or is about to be disrupted.

232 (C) A relative shall appear in person, with or without counsel, and
233 shall not be entitled to court appointed counsel or the assignment of
234 counsel by the Chief Child Protection Attorney except as provided in
235 section 46b-136.

236 (2) Upon the granting of intervenor status to such relative of the
237 child or youth, the court shall issue an order directing the
238 Commissioner of Children and Families to conduct an assessment of
239 such relative and to file a written report with the court not later than
240 forty days after such order, unless such relative resides out of state, in
241 which case the assessment shall be ordered and requested in
242 accordance with the provisions of the Interstate Compact on the
243 Placement of Children, pursuant to section 17a-175. The court may also
244 request such relative to release such relative's medical records,
245 including any psychiatric or psychological records and may order such

246 relative to submit to a physical or mental examination. The expenses
247 incurred for such physical or mental examination shall be paid as costs
248 of commitment are paid. Upon receipt of the assessment, the court
249 shall schedule a hearing on such relative's motion for temporary
250 custody not later than fifteen days after the receipt of the assessment. If
251 the Commissioner of Children and Families, the child's or youth's
252 attorney or guardian ad litem, or the parent or guardian objects to the
253 vesting of temporary custody in such relative, the agency or person
254 objecting at such hearing shall be required to prove by a fair
255 preponderance of the evidence that granting temporary custody of the
256 child or youth to such relative would not be in the best interests of
257 such child or youth.

258 (3) If the court grants such relative temporary custody during the
259 period of such temporary custody, such relative shall be subject to
260 orders of the court, including, but not limited to, providing for the care
261 and supervision of such child or youth and cooperating with the
262 Commissioner of Children and Families in the implementation of
263 treatment and permanency plans and services for such child or youth.
264 The court may, on motion of any party or the court's own motion, after
265 notice and a hearing, terminate such relative's intervenor status if such
266 relative's participation in the case is no longer warranted or necessary.

267 (4) Any person related to a child or youth may file a motion to
268 intervene for purposes of seeking permanent guardianship of a child
269 or youth more than ninety days after the date of the preliminary
270 hearing. The granting of such motion to intervene shall be solely in the
271 court's discretion, except that such motion shall be granted absent
272 good cause shown whenever the child's or youth's most recent
273 placement has been disrupted or is about to be disrupted. The court
274 may, in the court's discretion, order the Commissioner of Children and
275 Families to conduct an assessment of such relative granted intervenor
276 status pursuant to this subdivision.

277 (e) If any parent or guardian fails, after service of such order, to
278 appear at the preliminary hearing, the court may enter or sustain an

279 order of temporary custody.

280 (f) Upon request, or upon its own motion, the court shall schedule a
281 hearing on the order for temporary custody or the order to appear to
282 be held not later than ten days after the date of the preliminary
283 hearing. Such hearing shall be held on consecutive days except for
284 compelling circumstances or at the request of the parent or guardian.

285 (g) At a contested hearing on the order for temporary custody or
286 order to appear, credible hearsay evidence regarding statements of the
287 child or youth made to a mandated reporter or to a parent may be
288 offered by the parties and admitted by the court upon a finding that
289 the statement is reliable and trustworthy and that admission of such
290 statement is reasonably necessary. A signed statement executed by a
291 mandated reporter under oath may be admitted by the court without
292 the need for the mandated reporter to appear and testify unless called
293 by a respondent or the child, provided the statement: (1) Was provided
294 at the preliminary hearing and promptly upon request to any counsel
295 appearing after the preliminary hearing; (2) reasonably describes the
296 qualifications of the reporter and the nature of his contact with the
297 child; and (3) contains only the direct observations of the reporter, and
298 statements made to the reporter that would be admissible if the
299 reporter were to testify to them in court and any opinions reasonably
300 based thereupon. If a respondent or the child gives notice at the
301 preliminary hearing that he intends to cross-examine the reporter, the
302 person filing the petition shall make the reporter available for such
303 examination at the contested hearing.

304 (h) If any parent or guardian fails, after due notice of the hearing
305 scheduled pursuant to subsection (g) of this section and without good
306 cause, to appear at the scheduled date for a contested hearing on the
307 order of temporary custody or order to appear, the court may enter or
308 sustain an order of temporary custody.

309 (i) When a petition is filed in said court for the commitment of a
310 child or youth, the Commissioner of Children and Families shall make

311 a thorough investigation of the case and shall cause to be made a
312 thorough physical and mental examination of the child or youth if
313 requested by the court. The court after hearing may also order a
314 thorough physical or mental examination, or both, of a parent or
315 guardian whose competency or ability to care for a child or youth
316 before the court is at issue. The expenses incurred in making such
317 physical and mental examinations shall be paid as costs of
318 commitment are paid.

319 (j) Upon finding and adjudging that any child or youth is uncared-
320 for [,] or neglected, [or dependent,] the court may commit such child or
321 youth to the Commissioner of Children and Families. Such
322 commitment shall remain in effect until further order of the court,
323 except that such commitment may be revoked or parental rights
324 terminated at any time by the court, or the court may vest such child's
325 or youth's legal guardianship in any private or public agency that is
326 permitted by law to care for neglected [,] or uncared-for [or
327 dependent] children or youths or with any other person or persons
328 found to be suitable and worthy of such responsibility by the court,
329 including, but not limited to, any relative of such child or youth by
330 blood or marriage. If the court determines that the commitment should
331 be revoked and the child's or youth's legal guardianship should vest in
332 someone other than the respondent parent, parents or former
333 guardian, or if parental rights are terminated at any time, there shall be
334 a rebuttable presumption that an award of legal guardianship upon
335 revocation to, or adoption upon termination of parental rights by, any
336 relative who is licensed as a foster parent for such child or youth, or
337 who is, pursuant to an order of the court, the temporary custodian of
338 the child or youth at the time of the revocation or termination, shall be
339 in the best interests of the child or youth and that such relative is a
340 suitable and worthy person to assume legal guardianship upon
341 revocation or to adopt such child or youth upon termination of
342 parental rights. The presumption may be rebutted by a preponderance
343 of the evidence that an award of legal guardianship to, or an adoption
344 by, such relative would not be in the child's or youth's best interests

345 and such relative is not a suitable and worthy person. The court shall
346 order specific steps that the parent must take to facilitate the return of
347 the child or youth to the custody of such parent. The commissioner
348 shall be the guardian of such child or youth for the duration of the
349 commitment, provided the child or youth has not reached the age of
350 eighteen years or, in the case of a child or youth in full-time attendance
351 in a secondary school, a technical school, a college or a state-accredited
352 job training program, provided such child or youth has not reached the
353 age of twenty-one years, by consent of such youth, or until another
354 guardian has been legally appointed, and in like manner, upon such
355 vesting of the care of such child or youth, such other public or private
356 agency or individual shall be the guardian of such child or youth until
357 such child or youth has reached the age of eighteen years or, in the
358 case of a child or youth in full-time attendance in a secondary school, a
359 technical school, a college or a state-accredited job training program,
360 until such child or youth has reached the age of twenty-one years or
361 until another guardian has been legally appointed. The commissioner
362 may place any child or youth so committed to the commissioner in a
363 suitable foster home or in the home of a person related by blood or
364 marriage to such child or youth or in a licensed child-caring institution
365 or in the care and custody of any accredited, licensed or approved
366 child-caring agency, within or without the state, provided a child shall
367 not be placed outside the state except for good cause and unless the
368 parents or guardian of such child are notified in advance of such
369 placement and given an opportunity to be heard, or in a receiving
370 home maintained and operated by the Commissioner of Children and
371 Families. In placing such child or youth, the commissioner shall, if
372 possible, select a home, agency, institution or person of like religious
373 faith to that of a parent of such child or youth, if such faith is known or
374 may be ascertained by reasonable inquiry, provided such home
375 conforms to the standards of said commissioner and the commissioner
376 shall, when placing siblings, if possible, place such children together.
377 As an alternative to commitment, the court may place the child or
378 youth in the custody of the parent or guardian with protective
379 supervision by the Commissioner of Children and Families subject to

380 conditions established by the court. Upon the issuance of an order
381 committing the child or youth to the Commissioner of Children and
382 Families, or not later than sixty days after the issuance of such order,
383 the court shall determine whether the Department of Children and
384 Families made reasonable efforts to keep the child or youth with his or
385 her parents or guardian prior to the issuance of such order and, if such
386 efforts were not made, whether such reasonable efforts were not
387 possible, taking into consideration the child's or youth's best interests,
388 including the child's or youth's health and safety.

389 (k) (1) Nine months after placement of the child or youth in the care
390 and custody of the commissioner pursuant to a voluntary placement
391 agreement, or removal of a child or youth pursuant to section 17a-
392 101g, as amended by this act, or an order issued by a court of
393 competent jurisdiction, whichever is earlier, the commissioner shall file
394 a motion for review of a permanency plan. Nine months after a
395 permanency plan has been approved by the court pursuant to this
396 subsection, the commissioner shall file a motion for review of the
397 permanency plan. Any party seeking to oppose the commissioner's
398 permanency plan, including a relative of a child or youth by blood or
399 marriage who has intervened pursuant to subsection (d) of this section
400 and is licensed as a foster parent for such child or youth or is vested
401 with such child's or youth's temporary custody by order of the court,
402 shall file a motion in opposition not later than thirty days after the
403 filing of the commissioner's motion for review of the permanency plan,
404 which motion shall include the reason therefor. A permanency hearing
405 on any motion for review of the permanency plan shall be held not
406 later than ninety days after the filing of such motion. The court shall
407 hold evidentiary hearings in connection with any contested motion for
408 review of the permanency plan. The commissioner shall have the
409 burden of proving that the proposed permanency plan is in the best
410 interests of the child or youth. After the initial permanency hearing,
411 subsequent permanency hearings shall be held not less frequently than
412 every twelve months while the child or youth remains in the custody
413 of the Commissioner of Children and Families. The court shall provide

414 notice to the child or youth, the parent or guardian of such child or
415 youth, and any intervenor of the time and place of the court hearing on
416 any such motion not less than fourteen days prior to such hearing.

417 (2) At a permanency hearing held in accordance with the provisions
418 of subdivision (1) of this subsection, the court shall approve a
419 permanency plan that is in the best interests of the child or youth and
420 takes into consideration the child's or youth's need for permanency.
421 The child's or youth's health and safety shall be of paramount concern
422 in formulating such plan. Such permanency plan may include the goal
423 of (A) revocation of commitment and reunification of the child or
424 youth with the parent or guardian, with or without protective
425 supervision; (B) transfer of guardianship; (C) long-term foster care
426 with a relative licensed as a foster parent; (D) filing of termination of
427 parental rights and adoption; or (E) another planned permanent living
428 arrangement ordered by the court, provided the Commissioner of
429 Children and Families has documented a compelling reason why it
430 would not be in the best interest of the child or youth for the
431 permanency plan to include the goals in subparagraphs (A) to (D),
432 inclusive, of this subdivision. Such other planned permanent living
433 arrangement may include, but not be limited to, placement of a child
434 or youth in an independent living program or long term foster care
435 with an identified foster parent.

436 (3) At a permanency hearing held in accordance with the provisions
437 of subdivision (1) of this subsection, the court shall review the status of
438 the child, the progress being made to implement the permanency plan,
439 determine a timetable for attaining the permanency plan, determine
440 the services to be provided to the parent if the court approves a
441 permanency plan of reunification and the timetable for such services,
442 and determine whether the commissioner has made reasonable efforts
443 to achieve the permanency plan. The court may revoke commitment if
444 a cause for commitment no longer exists and it is in the best interests of
445 the child or youth.

446 (4) If the court approves the permanency plan of adoption: (A) The

447 Commissioner of Children and Families shall file a petition for
448 termination of parental rights not later than sixty days after such
449 approval if such petition has not previously been filed; (B) the
450 commissioner may conduct a thorough adoption assessment and
451 child-specific recruitment; and (C) the court may order that the child
452 be photo-listed within thirty days if the court determines that such
453 photo-listing is in the best interest of the child. As used in this
454 subdivision, "thorough adoption assessment" means conducting and
455 documenting face-to-face interviews with the child, foster care
456 providers and other significant parties and "child specific recruitment"
457 means recruiting an adoptive placement targeted to meet the
458 individual needs of the specific child, including, but not limited to, use
459 of the media, use of photo-listing services and any other in-state or
460 out-of-state resources that may be used to meet the specific needs of
461 the child, unless there are extenuating circumstances that indicate that
462 such efforts are not in the best interest of the child.

463 (l) The Commissioner of Children and Families shall pay directly to
464 the person or persons furnishing goods or services determined by said
465 commissioner to be necessary for the care and maintenance of such
466 child or youth the reasonable expense thereof, payment to be made at
467 intervals determined by said commissioner; and the Comptroller shall
468 draw his or her order on the Treasurer, from time to time, for such part
469 of the appropriation for care of committed children or youths as may
470 be needed in order to enable the commissioner to make such
471 payments. The commissioner shall include in the department's annual
472 budget a sum estimated to be sufficient to carry out the provisions of
473 this section. Notwithstanding that any such child or youth has income
474 or estate, the commissioner may pay the cost of care and maintenance
475 of such child or youth. The commissioner may bill to and collect from
476 the person in charge of the estate of any child or youth aided under
477 this chapter, or the payee of such child's or youth's income, the total
478 amount expended for care of such child or youth or such portion
479 thereof as any such estate or payee is able to reimburse, provided the
480 commissioner shall not collect from such estate or payee any

481 reimbursement for the cost of care or other expenditures made on
482 behalf of such child or youth from (1) the proceeds of any cause of
483 action received by such child or youth; (2) any lottery proceeds due to
484 such child or youth; (3) any inheritance due to such child or youth; (4)
485 any payment due to such child or youth from a trust other than a trust
486 created pursuant to 42 USC 1396p, as amended from time to time; or
487 (5) the decedent estate of such child or youth.

488 (m) The commissioner, a parent or the child's attorney may file a
489 motion to revoke a commitment, and, upon finding that cause for
490 commitment no longer exists, and that such revocation is in the best
491 interests of such child or youth, the court may revoke the commitment
492 of such child or youth. No such motion shall be filed more often than
493 once every six months.

494 (n) Upon service on the parent, guardian or other person having
495 control of the child or youth of any order issued by the court pursuant
496 to the provisions of subsections (b) and (j) of this section, the child or
497 youth concerned shall be surrendered to the person serving the order
498 who shall forthwith deliver the child or youth to the person, agency,
499 department or institution awarded custody in the order. Upon refusal
500 of the parent, guardian or other person having control of the child or
501 youth to surrender the child or youth as provided in the order, the
502 court may cause a warrant to be issued charging the parent, guardian
503 or other person having control of the child or youth with contempt of
504 court. If the person arrested is found in contempt of court, the court
505 may order such person confined until the person complies with the
506 order, but for not more than six months, or may fine such person not
507 more than five hundred dollars, or both.

508 (o) A foster parent, prospective adoptive parent or relative caregiver
509 shall receive notice and have the right to be heard for the purposes of
510 this section in Superior Court in any proceeding concerning a foster
511 child living with such foster parent, prospective adoptive parent or
512 relative caregiver. A foster parent, prospective adoptive parent or
513 relative caregiver who has cared for a child or youth shall have the

514 right to be heard and comment on the best interests of such child or
515 youth in any proceeding under this section which is brought not more
516 than one year after the last day the foster parent, prospective adoptive
517 parent or relative caregiver provided such care.

518 (p) Upon motion of any sibling of any child committed to the
519 Department of Children and Families pursuant to this section, such
520 sibling shall have the right to be heard concerning visitation with, and
521 placement of, any such child. In awarding any visitation or modifying
522 any placement, the court shall be guided by the best interests of all
523 siblings affected by such determination.

524 (q) The provisions of section 17a-152, regarding placement of a child
525 from another state, and section 17a-175, regarding the Interstate
526 Compact on the Placement of Children, shall apply to placements
527 pursuant to this section.

528 (r) In any proceeding under this section, the Department of Children
529 and Families shall provide notice to every attorney of record for each
530 party involved in the proceeding when the department seeks to
531 transfer a child or youth in its care, custody or control to an out-of-
532 state placement.

533 Sec. 505. Subsection (b) of section 46b-135 of the general statutes is
534 repealed and the following is substituted in lieu thereof (*Effective*
535 *July 1, 2011*):

536 (b) At the commencement of any proceeding on behalf of a
537 neglected [.] or uncared-for [or dependent] child or youth, the parent
538 or parents or guardian of the child or youth shall have the right to
539 counsel, and shall be so informed by the judge, and that if they are
540 unable to afford counsel, counsel will be provided for them. Such
541 parent or guardian of the child or youth shall have the rights of
542 confrontation and cross-examination.

543 Sec. 506. Subsection (d) of section 46b-137 of the general statutes is
544 repealed and the following is substituted in lieu thereof (*Effective*

545 July 1, 2011):

546 (d) Any confession, admission or statement, written or oral, made
547 by the parent or parents or guardian of the child or youth after the
548 filing of a petition alleging such child or youth to be neglected [,] or
549 uncared-for, [or dependent,] shall be inadmissible in any proceeding
550 held upon such petition against the person making such admission or
551 statement unless such person shall have been advised of the person's
552 right to retain counsel, and that if the person is unable to afford
553 counsel, counsel will be appointed to represent the person, that the
554 person has a right to refuse to make any statement and that any
555 statements the person makes may be introduced in evidence against
556 the person, except that any statement made by the mother of any child
557 or youth, upon inquiry by the court and under oath if necessary, as to
558 the identity of any person who might be the father of the child or
559 youth shall not be inadmissible if the mother was not so advised.

560 Sec. 507. Subsection (d) of section 46b-137 of the general statutes, as
561 amended by section 87 of public act 09-7 of the September special
562 session and section 40 of public act 10-43, is repealed and the following
563 is substituted in lieu thereof (*Effective July 1, 2012*):

564 (d) Any confession, admission or statement, written or oral, made
565 by the parent or parents or guardian of the child or youth after the
566 filing of a petition alleging such child or youth to be neglected [,] or
567 uncared-for, [or dependent,] shall be inadmissible in any proceeding
568 held upon such petition against the person making such admission or
569 statement unless such person shall have been advised of the person's
570 right to retain counsel, and that if the person is unable to afford
571 counsel, counsel will be appointed to represent the person, that the
572 person has a right to refuse to make any statement and that any
573 statements the person makes may be introduced in evidence against
574 the person, except that any statement made by the mother of any child
575 or youth, upon inquiry by the court and under oath if necessary, as to
576 the identity of any person who might be the father of the child or
577 youth shall not be inadmissible if the mother was not so advised.

578 Sec. 508. Section 46b-150d of the general statutes is repealed and the
579 following is substituted in lieu thereof (*Effective July 1, 2011*):

580 An order that a minor is emancipated shall have the following
581 effects: (1) The minor may consent to medical, dental or psychiatric
582 care, without parental consent, knowledge or liability; (2) the minor
583 may enter into a binding contract; (3) the minor may sue and be sued
584 in such minor's own name; (4) the minor shall be entitled to such
585 minor's own earnings and shall be free of control by such minor's
586 parents or guardian; (5) the minor may establish such minor's own
587 residence; (6) the minor may buy and sell real and personal property;
588 (7) the minor may not thereafter be the subject of (A) a petition under
589 section 46b-129, as amended by this act, as an abused, [dependent,
590 neglected or uncared for child or youth, (B) a petition under section
591 46b-128 or 46b-133 as a delinquent child for any act committed before
592 the date of the order, (C) a petition under section 46b-149 alleging that
593 the minor is a child from a family with service needs, or (D) a petition
594 under section 46b-150f alleging that the minor is a youth in crisis; (8)
595 the minor may enroll in any school or college, without parental
596 consent; (9) the minor shall be deemed to be over eighteen years of age
597 for purposes of securing an operator's license under section 14-36 and
598 a marriage license under subsection (b) of section 46b-30; (10) the
599 minor shall be deemed to be over eighteen years of age for purposes of
600 registering a motor vehicle under section 14-12; (11) the parents of the
601 minor shall no longer be the guardians of the minor under section 45a-
602 606; (12) the parents of a minor shall be relieved of any obligations
603 respecting such minor's school attendance under section 10-184; (13)
604 the parents shall be relieved of all obligation to support the minor; (14)
605 the minor shall be emancipated for the purposes of parental liability
606 for such minor's acts under section 52-572; (15) the minor may execute
607 releases in such minor's own name under section 14-118; and (16) the
608 minor may enlist in the armed forces of the United States without
609 parental consent.

610 Sec. 509. Section 46b-150d of the general statutes, as amended by
611 section 91 of public act 09-7 of the September special session, is

612 repealed and the following is substituted in lieu thereof (*Effective*
613 *July 1, 2012*):

614 An order that a minor is emancipated shall have the following
615 effects: (1) The minor may consent to medical, dental or psychiatric
616 care, without parental consent, knowledge or liability; (2) the minor
617 may enter into a binding contract; (3) the minor may sue and be sued
618 in such minor's own name; (4) the minor shall be entitled to such
619 minor's own earnings and shall be free of control by such minor's
620 parents or guardian; (5) the minor may establish such minor's own
621 residence; (6) the minor may buy and sell real and personal property;
622 (7) the minor may not thereafter be the subject of (A) a petition under
623 section 46b-129, as amended by this act, as an abused, [dependent,]
624 neglected or uncared for child or youth, (B) a petition under section
625 46b-128 or 46b-133 as a delinquent child for any act committed before
626 the date of the order, or (C) a petition under section 46b-149 alleging
627 that the minor is a child from a family with service needs; (8) the minor
628 may enroll in any school or college, without parental consent; (9) the
629 minor shall be deemed to be over eighteen years of age for purposes of
630 securing an operator's license under section 14-36 and a marriage
631 license under subsection (b) of section 46b-30; (10) the minor shall be
632 deemed to be over eighteen years of age for purposes of registering a
633 motor vehicle under section 14-12; (11) the parents of the minor shall
634 no longer be the guardians of the minor under section 45a-606; (12) the
635 parents of a minor shall be relieved of any obligations respecting such
636 minor's school attendance under section 10-184; (13) the parents shall
637 be relieved of all obligation to support the minor; (14) the minor shall
638 be emancipated for the purposes of parental liability for such minor's
639 acts under section 52-572; (15) the minor may execute releases in such
640 minor's own name under section 14-118; and (16) the minor may enlist
641 in the armed forces of the United States without parental consent."